

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

AXA EQUITABLE LIFE INSURANCE
COMPANY COI LITIGATION

This Document Relates to 16-CV-740

ECF CASE

No. 16-CV-740 (JMF)

**DECLARATION OF JENNIFER M. KEOUGH IN SUPPORT OF
PROOF OF MAILING OF SHORT-FORM NOTICE AND
PROOF OF WEBSITE POSTING OF LONG-FORM NOTICE
PURSUANT TO THE ORDER APPROVING
FORM AND MANNER OF NOTICE (DKT. 447)**

I, JENNIFER M. KEOUGH, declare and state as follows:

1. I am the Chief Executive Officer of JND Legal Administration LLC (“JND”). JND is a legal administration services provider with its headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action cases.

2. JND is serving as the Notice Administrator in the above-captioned litigation (“Action”) for the purposes of administering the notice program approved by the Court in its Order Approving Form and Manner of Notice and Modifying Class Definition (“Order”), dated October 2, 2020. The following statements are based on my personal knowledge and information provided to me by other JND employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

3. JND is one of the leading legal administration firms in the country, and the principals of JND, including myself, collectively have over 75 years of experience in class action legal and administrative fields. JND’s class action division provides all services necessary for the effective implementation of class action settlements including: (1) all facets of legal notice, such as outbound mailing, email notification, and the design and implementation of media programs, including through digital and social media platforms; (2) website design and deployment, including online claim filing capabilities; (3) call center and other contact support; (4) secure class member data management; (5) paper and electronic claims processing; (6) calculation design and programming; (7) payment disbursements through check, wire, PayPal, merchandise credits, and other means; (8) qualified settlement fund tax reporting; (9) banking services and reporting; and (10) all other functions related to the secure and accurate administration of class action settlements. JND has been recognized by various publications, including the National Law Journal and the

Legal Times, and most recently, the New York Law Journal, for excellence in class action administration.

DATA TRANSFER

4. On October 2, 2020, Plaintiffs provided JND with the final list of Class Members, which included names, policy numbers, and physical addresses, among other information.

5. The Class Member data was promptly loaded into a database established for this Action.

POSTCARD NOTICE

6. Pursuant to the terms of the Order, on October 23, 2020, JND mailed the Short-Form Notice via first-class regular U.S. mail to the 1,654 Class Members. Attached as Exhibit A is a true and correct copy of the Short Form Notice.

7. Prior to mailing, JND updated eight (8) Class Member addresses using the United States Postal Service National Change of Address database¹.

8. As of November 19, 2020, JND has tracked 109 Short Form Notices that were returned as undeliverable without a forwarding address. JND performed advanced address research on the notices returned as undeliverable and located an updated address for two (2) Class Members. JND has received three (3) Short Form Notices that were returned with a forwarding address. JND promptly re-mailed the Short Form Notice to the updated addresses, where available.

¹ The NCOA database is the official United States Postal Service (“USPS”) technology product which makes change of address information available to mailers to help reduce undeliverable mail pieces before mail enters the mail stream. This product is an effective tool to update address changes when a person has completed a change of address form with the USPS. The address is maintained in the database for 48 months.

TOLL-FREE INFORMATION LINE

9. On October 23, 2020, JND established a case-specific toll-free number, 1-888-681-1196, for individuals to call to obtain information about the Lawsuit. The line is available 24 hours a day, seven days a week. Agents are available to answer Class Member questions during regular business hours.

10. As of November 18, 2020, JND has received 26 incoming calls of which 17 were transferred to an agent.

WEBSITE

11. On October 23, 2020, JND established a website dedicated to this action (“Notice Website”), www.AXACOILitigation.com, to provide additional information to the Class Members and answer frequently asked questions. Viewers of the website can download a copy of the Third Amended Class Action Complaint, Order Certifying Class, Order Approving Form and Notice, and the Long Form Notice.

12. As of November 18, 2020, the Notice Website has tracked 198 unique users with over 640 page views.

PUBLICATION

13. Pursuant to the terms of the Order, no later than seven (7) days after the mailing of the Short-Form Notice, JND caused the Short-Form Notice to be published in the following:

- a. *USA Today* on October 26, 2020;
- b. *The Financial Times* on October 27, 2020; and
- c. *The New York Times* on October 28, 2020.

Attached as Exhibits B, C and D are true and correct copies of these publications.

14. The Press Release, attached as Exhibit E, was issued on October 27, 2020.

I declare under the penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct.

Executed on November 20, 2020 at Seattle, Washington.

By: 
JENNIFER M. KEOUGH